

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed October 31, 2006 (the "Office Action"). At the time of the Office Action, Claims 1-21 were pending in the application. The Office Action rejects Claims 1-21. Applicants amend Claim 15. Applicant respectfully request reconsideration and favorable action in this case.

Section 101 Rejections

Claims 15-20 are rejected under 35 U.S.C. §101 because the Office Action contends that the claimed invention is directed to non-statutory matter. Applicants have amended independent Claim 15 to recite logic embodied as a computer program stored on a computer readable medium. Applicants respectfully request withdrawal of these rejections.

Double Patenting Rejection

Claims 1-21 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-21 of co-pending application 10/807,589 and Claims 1-21 of co-pending application 10/807,572. As these are provisional double patenting rejections, Applicants defer the decision to file a terminal disclaimer or traverse the rejections until the Examiner has indicated that the present application and co-pending applications 10/807,589 and 10/807,572 include allowable subject matter.

Section 102 Rejections

The Examiner rejects Claims 1-3, 7-10, 14-17, 20 and 21 under 35 U.S.C. 102(b) as being anticipated by WO 2003/001340 to Mosttov ("Mosttov"). Applicants respectfully traverse these rejections.

Claim 1 recites a user interface operable to receive user input associating selected ones of the gestures with corresponding ones of the commands and a gesture mapping database comprising a command map comprising mappings of the selected gestures to the corresponding commands as indicated by the user input. Claims 8, 15 and 21 recite similar elements. The Office Action suggests that these elements are disclosed in *Mosttov* at page 6,

lines 26-28 and at page 8, lines 24-28. *See* Office Action, page 8. However, page 6, lines 26-28 of *Mosttov* discloses that gestures provide the electronic device with user interface input. Neither this nor any other portion of *Mosttov* discloses the receipt of user input associating selected gestures with corresponding commands. The mere disclosure of gesture as input does not anticipate this portion of the claim. Moreover, page 8, lines 24-28 of *Mosttov* discloses a discriminator that decides which class of gesture is represented by inertial data and two interpreters that match the inertial data to a particular gesture in the class selected by the generator. There is no disclosure of a command map comprising mappings of the selected gestures to the corresponding commands as indicated by the user input. Therefore, for at least these reasons, Applicants respectfully submit that Claims 1, 8, 15 and 21 are patentable over the cited art used in the rejections and request that the rejections of these claims be withdrawn.

Claims 2-3 and 7 each depends from Claim 1, Claims 9-10 and 14 each depends from Claim 8 and Claims 16-17 and 20 each depends from Claim 15. Thus, for at least the reasons discussed above with respect to Claims 1, 8 and 15, Applicants respectfully request that the rejections of Claims 2-3, 7, 9-10, 14, 16-17 and 20 be withdrawn.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Chad C. Walters, Attorney for Applicants, at the Examiner's convenience at (214) 953-6511.

Although no fees are believed due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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